Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 1 of 33

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 2 of 33

THERE IS NO EXHIBIT 146.

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 3 of 33

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/49/05 Page 4 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Symmons.

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service he Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1		•
2	IN THE UNITED STATES DEFINED FOR THE DISTRICT OF	
3	UNITED STATES OF AMERICA,)
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7) SUBFILE NO. C-123-B
8	VS.))
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11.	1 I hanakar auton mar anno anno an achin an b	
12	1. I hereby enter my appearance in this sub	-
1.3	2. I am filing this document with the Distri	ct Court at the following address:
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301	
1.6	Reno, Nevada 89501	
17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of	
1.8	Summons, I am mailing a copy of this document to:	
1.9	Susan L. Schneider Attorney for the United States of America	
2.0	United States Department of Justice	
	P.O. Box 756	non
21 22	Littleton, Colorado 80160 4. I (or the entity on whose behalf I am acti	ng) will retain all defenges or chientions
		,
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of the	•
25	5. If I (or the entity on whose behalf I am actin	• •
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address,
27	telephone number, and facsimile number:	
28		

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 6 of 33

- 1		. /
1	Attomey:	NA
2		
3	Address:	
4		
5		
6	Phone Number:)
7	Fax Number:	Luc O Miller
8		Lus C Miller
9		(Signature)
1.0		
11		Kris C Miller
12		(Printed or typed Name)
L3		
1.4		
1.5		(Entity, if any, on whose behalf you are appearing)
1.6		
1.7		(A.1)
1.8		(Address)
1.9		(Telephone number)
2:0		
٠, ٦	1	

2.3

2.4

2.5

2.6

2.7

28

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 7 of 33

	Case 3:73-cv-00/127-RCJ-4VGC Document 5 Filed 12/19/05 Page 8 of 33
	in manufacture of the miles of the second
	WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS
_	TO: Susan L. Schneider, attorney for the United States of America
	1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of <i>United States v. Walker River Irrigation District</i> , which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
	2. I have also reccived a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me. 3. Tagree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner
\	provided by Rule 4 of the Federal Rules of Civil Procedure.
	4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
	5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
	Date: 174/05 Signature Ann Miller Solf
	Printed/Typed/Name If you are acting on behalf of any entity, identify that you are
	acting as:of
	(Title)
	$ \mathcal{N}/\mathcal{H}$
	(Corporate, Trust, Partnership of other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Arnended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 9 of 33

EXHIBIT 149

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 10 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	1	
Date: ///2/05	Signature Edward C. Montanaro	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	аге
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 12 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125.B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-7 -05 mature Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 14 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-28-05	Signature MARIA 8 MONTES	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

1		
2	IN THE UNITED STATES DIST FOR THE DISTRICT OF	
3	UNITED STATES OF AMERICA,)	
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,)	IN EQUITY NO. C-125
6	31	SUBI-ILE NO. C-125-B
7) · · · · · · · · · · · · · · · · · · ·	50511111111010112112
8 9	WALKER RIVER IRRIGATION DISTRICT,	
10	NOTICE OF APPEARANCE AND INTER	NT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-pr	anneding in this area
12		C
13		Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
1.6	3. In the envelope provided for return of my V	Waiver of Service of Notice in Lieu of
17		
18	Susan L. Schneider	
19	Attorney for the United States of America United States Department of Justice	
20		
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting)) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,	
27	telephone number, and facsimile number:	
_		

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 16 of 33

1	1 Attorney:	
2	2	
3	Address:	
4	4	<i>c</i>
5	5	
6	6 Phone Number:	
7	!	
8	8	Main B Mots
9	9	Signature)
10	0	
11		YARIA B MONTES
12	2	Printed or typed Name)
13	3	
14	· · · · · · · · · · · · · · · · · · ·	Soft.
15	→ 	Entity, if any, on whose
16		ehalf you are appearing) 24 Robus Rd
17	7	
18	_	Address) 775 463 3106
19		(Telephone number)
20		
21		
22	·	
23		
24		
25		
26		
27	7	

28

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 18 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 IN EQUITY No. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor. 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 1.8 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 20 of 33

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8	·	Tourins a montes
9		(Signature)
10		ma a A FEG
11		Towns a MON-FOS
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		24 Rober Rd
18		(Address) 775 463 3/06
19		(Telephone number)
20		
21		
22		
23	·	
24		
25		
26		
27		

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 21 of 33

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 22 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/10/2005

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 1.0 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 1.3 Chief Deputy Clerk United States District Court for the 1.4 District of Nevada 400 South Virginia Street, Suite 301 1.5 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons. I am mailing a copy of this document to: 13 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 21 Littleton, Colorado 80160 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 24 of 33

1	Attomey:	
2		
3	Address:	
4		
5		•
€	Phone Number:	
77	Fax Number:	O === 11 . B
8		Jeffrey Howard mowers
9.		(Signature)
10		
11		JETREY HOWARD MOORE
12		(Printed or typed Name)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		45 REBECCA WAY
17		YERINGTON, NV, 89447
18		(Address) 775,463,6022
19		(Telephone number)
20		
21		
22		
23		
24		
2.5		
26		•

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 26 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11 | 2, | Cos

Signature

YOBE MOORE

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lord Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a comoration, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 1.0 1.1 . I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 21 Littleton, Colorado 80160 22 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 25 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 27 telephone number, and facsimile number: 28

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 28 of 33

1	Attomey:	
2	18	
.3	Address:	
43		
!5		
6	Phone Number:	
7	Fax Number:	
В		tagen LODE Warse
9.		(Signature)
10		
11		LOPPIU LOSE WOCK
12		(Printed or typed Name)
13		:
14		
15		(Entity, if any, on whose behalf you are appearing)
16		
17		(Add)
18		(Address)
19		(Telephone number)
20		
21	• • • • • • • • • • • • • • • • • • •	
22		
23		
24		· · · · · · · · · · · · · · · · · · ·
25		
26		

Case 3:73-cv-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 30 of 33

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/10/2005	Signature SANDRA MOORE	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you are	re
	agting an	f
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1		
2	IN THE UNITED STATES DI FOR THE DISTRICT O	
3	UNITED STATES OF AMERICA,	
4	Plaintiff,	· •
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11.	1. I hereby enter my appearance in this sub-	11
12		_
1.3		ct Court at the following address:
. 4	Chief Deputy Clerk United States District Court for the District of Nevada	
1.5	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of
3.7	Summons. I am mailing a copy of this document to:	
1.8	Susan L. Schneider	
19	United States Department of Justice	
2:0	Environment & Natural Resources Divis P.O. Box 756	ion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections	
23		
24	in the Notice in Lieu of Summons or in the service of th	
25	5. If I (or the entity on whose behalf I am actin	
26	me in these proceedings. I identify that attorney below,	along with his or her mailing address,
27	telephone number, and facsimile number:	
~ ~ .		

Case 3:73-cy-00127-RCJ-WGC Document 5 Filed 12/19/05 Page 32 of 33

1	Attomey:	
:2	: [
.3	Address:	
4		
5		
5	Phone Number	
7	Fax Number:	
В		Dandra Moore
Э) ·	(Signature)
10		
11		SANDRA MOORE
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		45 REBECCA WAY
17		YERINGTON NV 89447
18		(Address) _(775) 463 - 0022
19		(Telephone number)
20		
21		•
22		
23		
24		
25		
26		
27		